

## **REMARKS**

Favorable reconsideration and allowance of this application are requested.

### **1. Discussion of Amendments**

By way of the amendment instructions above, self-evident typographical errors in the paragraph on page 4, line 26 bridging page 5, line 3 have been corrected.

Pending independent claim 1 (the sole independent claim pending herein for consideration) has been clarified so as to emphasize that the process involves a filter unit containing activated carbon immobilized in a "cartridge". As noted in the specification on page 4, lines 5-7, a "cartridge" is meant to refer to a self-contained replaceable entity comprising powdered activated carbon immobilized in a matrix which is in the form of a membrane sheet. Such a definition has now been recited in the amended version of claim 7.

In addition, claim 1 has been amended so as to refer to "first" and "second" volumes of feed to achieve "first" and "second" effluents, respectively. Thus, such terminology has been adopted to replace the objected-to phrase "suitable".

Claims 2 and 3 have been amended so as to clarify the same and to define affirmative process steps.

The embedded preferred limitations in the claims have been deleted.

Claim 10 has been amended so as to insert the inadvertently omitted lower temperature of the recited range. See page 8, lines 24-25 for support.

Claim 12 has been cancelled and the dependencies of claims 13 and 15 changed so each is now dependent on the amended version of claim 1.

The term “pharmaceutically” has been adopted in claim 19.

Thus, following entry of this amendment, amended versions of claims 1-11 and 13-19 will remain pending herein for which favorable reconsideration is solicited.

**2. Response to 35 USC §112 Issues and Objections**

The amendments above are believed to address completely the claim objections and rejections under 35 USC §112 advanced by the Examiner in paragraphs 4 and 6 of the Action. Withdrawal of the same is in order.

**3. Response to 35 USC §102(b) Rejection**

Prior claims 1-5, 10 and 12 attracted a rejection under 35 USC §102(b) as allegedly anticipated by Corson et al (USP 3,551,203). Applicants suggest that Corson et al cannot anticipate the presently amended claims.

According to the amended version of claim 1 presented above, the activated carbon is required to be immobilized in a cartridge. As noted in the specification on page 4, lines 5-7, a “cartridge” is meant to refer to a self-contained replaceable entity comprising powdered activated carbon immobilized in a matrix which is in the form of a membrane sheet. (See also pending claim 7.) Since Corson et al does not disclose or suggest a “cartridge” in which activated carbon is immobilized, but instead uses activated carbon applied as a filter cake, it cannot anticipate the pending claims under 35 USC §102(b). Withdrawal of such rejection is therefore in order.

**4. Response to 35 USC §103(a) Rejection**

**A. Rejection Based on Corson et al and Dalton**

Claims 1-6 and 9-19 also attracted a rejection under 35 USC §103(a) as allegedly being unpatentable over Corson et al in view of Dalton (USP 2,655,497).

Again applicants suggest that neither Corson et al nor Dalton is appropriate as a reference against the presently pending claims herein.

The comments above are equally germane to the rejection advanced under 35 USC §103(a). In this regard, applicants note that neither Corson nor Dalton disclose or suggest a cartridge in the form of a membrane sheet as acknowledged by the Examiner on page 14, paragraph 29 of the Office Action. Hence, since pending claim 1 now has been amended to reference a “cartridge” which is imbued with the definition in the specification at page 4, lines 5-7, the rejection advanced on the basis of Corson et al and Dalton has been mooted. Withdrawal of the same is in order.

**B. Rejection Based on Corson et al, Dalton and Kelly**

Claims 1-19 also attracted a rejection under 35 USC §103(a) as allegedly being unpatentable over Corson et al in view of Dalton and further in view of Kelly (USP 5,980,612). Applicants respectfully suggest that Kelly fails to cure the deficiencies of Corson et al and Dalton as previously discussed.

The Examiner argues that combining the membrane sheet (i.e., sheet of activated carbon fabric) of Kelly with the filtration method of Corson et al and the purification method of Dalton et al would be obvious to a person with ordinary skill. Applicants respectfully disagree.

Specifically, applicants note that Kelly actually describes a continuous sheet of absorbent fabric (abstract). This is an entirely different filter unit system as compared to the cartridge employed in the present invention as defined by amended claim 1.

Kelly teaches a sheet of absorbent fabric. According to the present application, the carbon is not in the form of a fabric, but instead in the form of a cartridge (i.e., a self-contained and readily replaceable entity containing powdered activated carbon).

**WNUKOWSKI et al**  
**Serial No. 10/574,854**  
January 31, 2008

Therefore, even if an ordinarily skilled person were to combine Kelly with both Corson et al and Dalton et al as suggested by the Examiner, the present invention as defined in the pending claims would not result.

Withdrawal of the rejection advanced against prior claims 1-19 under 35 USC §103(a) based on Corson et al, Dalton and Kelly is therefore in order.

**5. Fee Authorization**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: /Bryan H. Davidson/  
Bryan H. Davidson  
Reg. No. 30,251

BHD:dlb  
901 North Glebe Road, 11<sup>th</sup> Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100